

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Allegation of Corruption against Sri J.Babu Basha, Junior Assistant, Office of the Tahsildar, Rudravaram Mandal, Rudravaram, Kurnool district – Trapped by Anti-Corruption Bureau on 21-10-2008 – Sanction for Prosecution – Orders – Issued.

REVENUE(VIGILANCE.VII) DEPARTMENT

G.O.Ms.No. 1123

Dated:26-10-2009

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ORDER:

Whereas, Sri J. Babu Basha, worked as Junior Assistant, Office of the Tahsildar, Rudravaram Mandal, Rudravaram, Kurnool District during the period from 29.01.2008 to 21.10.2008 and as such, he falls under the category of Public Servant within the meaning of clause (c) of Section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, it is alleged that on 18-10-2008 at 18:00 hours, Sri Boya Talari Naganna, S/o. Late Talari Sanjeevarayudu, aged 31 years, resident of Chandalur Village, Rudravaram Mandal, Kurnool District came to Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool and lodged a complaint against Sri J. Babu Basha, Junior Assistant, Office of the Tahsildar, Rudravaram Mandal, Kurnool District. The contents of the complaint are that his father Sanjeevarayudu worked as Talari and expired on 04.06.2008 due to ill-health. The gratuity of his father was due from the department. On 09-09-2008 at 11.00 a.m., he along with his mother viz., Smt.Pullamma approached the Tahsildar, Rudravaram and submitted an application for sanction of gratuity of his father. On his mother's application, the Tahsildar endorsed to the Superintendent. Then, himself and his mother met the Superintendent and gave the application to her. The Superintendent asked them to give the application to Sri J.Babu Basha, Junior Assistant. Accordingly, they met Sri J.Babu Basha, Junior Assistant who received the application and told that he would look in to the matter later. He met Sri J. Babu Basha several times and enquired about the pensionary benefits (gratuity) of his father. Sri J.Babu Basha repeated the same words that he would look into the matter, later. On 18-10-2008, once again he met Sri J.Babu Basha and requested to get the gratuity amount of his late father soon. On that Sri J.Babu Basha informed him that it was a laborious work and demanded bribe of Rs.1,000/- and that unless the bribe is paid he would not do the work. Under unavoidable circumstances, he agreed to pay the demanded bribe amount. Sri J.Babu Basha also informed him to pay the bribe on 21-10-2008 evening at his office in Rudravaram;

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3. And whereas, it is alleged that Sri Boya Talari Naganna who was unwilling to pay the bribe amount to Sri J.Babu Basha, Junior Assistant, Office of the Tahsildar, Rudravaram Mandal lodged a written complaint with the Deputy Superintendent of Police, Anti- Corruption Bureau, Kurnool on 18-10-2008 at 18:00 hours who, after due verification and after completing all legal formalities, registered a case in Cr.No.13/RCT-KUR/08, under section 7 of the Prevention of Corruption Act, 1988 at 09:00 hours on 21-10-2008 and took up investigation:

4. And whereas, it is further alleged that during the course of trap on 21-10-2008 at about 4:45 p.m. when Sri Boya Talari Naganna approached Sri J.Babu Basha, Junior Assistant, O/o. Tahsildar, Rudravaram Mandal, he renewed his earlier demand and asked him to pay the bribe amount of Rs.1,000/-. Accordingly, Sri Boya Talari Naganna paid the tainted amount of Rs.1,000/- to Sri J.Babu Basha, who received the amount with his right hand, counted and kept in his right pocket and promised to process the file without delay. Immediately, he came out and passed on the pre-arranged signal, on receipt of which, all the trap party members rushed in to the Tahsildar's office. When both the hand fingers of Sri J.Babu Basha were subjected to sodium carbonate solution test, yielded positive results. The kerchief of Sri J.Babu Basha subjected to the chemical test which came in contact with the tainted notes, yielded positive result. The inner linings of the right side pant pocket of the Accused Officer also answered positive when subjected to sodium carbonate solution test. The tainted amount of Rs.1,000/- was voluntarily produced by J.Babu Basha, Junior Assistant from his pant pocket. The currency note numbers and denominations mentioned in the pre trap proceedings tallied. All the relevant material objects were seized under cover of post trap proceedings along with tainted currency notes of Rs.1,000/-;

5. And whereas, the said acts of Sri J.Babu Basha, Junior Assistant, Office of the Tahsildar, Rudravaram Mandal, Kurnool District constitute the offences punishable under section 7 and sub-section (2) of section 13 readwith clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act, 49 of 1988);

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri J.Babu Basha, Junior Assistant, Office of the Tahsildar, Rudravaram Mandal, Kurnool District from Government service, after fully and carefully examining the material placed before them in respect of the said allegations against Sri J.Babu Basha, Junior Assistant, O/o. Tahsildar, Rudravaram Mandal, and having regard to the facts and circumstances of the case, consider that the said Sri J. Babu Basha, Junior Assistant, office of the Tahsildar, Rudravaram Mandal, Kurnool District should be prosecuted in a court of law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act, 49 of 1998) the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri J.Babu Basha, Junior Assistant, O/o. Tahsildar, Rudravaram Mandal, Kurnool District for the above said offence punishable under section 7 and sub-section (2) of section 13 readwith clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act, 49 of 1988) and for any other cognate offence punishable under any other provisions of law for the time being in force in respect of the afore said acts and for taking cognizance of the offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General
Anti-Corruption Bureau
Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER